

Executive Registry
15-6685

7 June 1954

MEMORANDUM FOR: DEPUTY DIRECTOR (ADMINISTRATION)

THROUGH : Chief of Administration, DD/P

SUBJECT : Determination of Dependents for Purposes of
Travel at Government Expense

1. In recent weeks the EE Division has had two cases arise in which travel of dependents at Government expense has been challenged on grounds that persons who are dependent in fact on employees are not dependents under the provisions of [] and are, therefore, not entitled to travel at Government expense.

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2. In one of the cases, in which we received a ruling by the General Counsel, the dependent was a grandmother. In the other case, attachment (a), the dependents are grandchildren of an employee. In each case we are dealing with persons concerning whom there is no question of financial dependency; this is clearly established. We are dealing simply with the fact that [] fails to specify grandparents and grandchildren in the various classes of dependents which the regulation enumerates. The General Counsel has stated in both cases that failure to specify such dependents automatically excludes them. However, the legal opinion does indicate that CIA may have the authority to amend the regulation and include such other dependents in addition to those specified as may be deemed appropriate.

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3. We have no information, nor does the General Counsel provide any, as to whether grandparents and grandchildren have been omitted from the list of dependents in []. Certainly, they are very often associated immediately with the family of an employee than such other relatives as sisters and brothers. In the case of Mr. [] the grandchildren are treated as children and can hardly be more closely associated as members of his immediate family. To exclude as dependents persons living in such a relationship to an employee would seem clearly to ignore a compelling factual situation. Similarly, a grandmother very often stands in the same relationship

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as a mother/

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as a mother to an employee, and has been so regarded throughout the lifetime of the employee. To ignore this situation, would likewise create an obvious hardship. We feel that the persons drafting [] simply failed to anticipate factual situations such as the two cases in EE present.

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4. It is therefore requested that action be taken to amend [] paragraph 2.b., to include both grandparents and grandchildren of an employee or spouse to permit such dependents to travel at Government expense when an employee has an authorized change of permanent station.

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Attachments:

- Memo to DD/P-ADMIN from OGC (27 May 54)
- Memo to DD/P-ADMIN from EE/ADMIN (21 May 54)

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Chief of Administration, DD/P

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